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NO. 6598, SP. 1

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FAX



GlaxoSmithKline

To Examiner Robert Zeman, Group 1645

Company USPTO

Fax 703-872-9306

From Marjorie J. Pfeiffer

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Date November 15, 2002 Pages including cover 9

Subject Continued Prosecution Application

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PO Box 13398
Five Moore Drive
Research Triangle Park
North Carolina 27709

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NOV 15 2002

GROUP 1600

OFFICIAL

Re: Continued Prosecution Application
Application of LENHARD et al.
U.S. Serial No.: 09/441,493; Filed: November 17, 1999
Examiner: Robert Zeman; Group Art: 1645
Title: *Infrared Thermography*
Attorney Docket No. PU3571

Attached:

1. Certificate of Transmission (37 CFR 1.8(a))
2. Continued Prosecution Application Request Transmittal (in duplicate)
3. Petition for Extension of Time (in duplicate)
4. Receipt for Facsimile Transmitted CPA

The information contained in these documents is confidential and may also be privileged and is intended for the exclusive use of the addressee designated above. If you are not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, any disclosure, reproduction, distribution, or any other dissemination or use of this communication is strictly prohibited. If you have received this transmission in error please contact us immediately by telephone so that we can arrange for its return.

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NO. 0598

P. 3

11/29/00-00

Approved for use through 10/31/2002. OMB 0851-0032

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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CONTINUED PROSECUTION APPLICATION (CPA)

REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☒ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No. of Prior Application

PU3571

First Named Inventor

James Martin BENHARD

Examiner Name

Zeman, Robert

Group Art Unit

1645

Express Mail Label No.

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 09 / 441,493
filed on 11/17/1999, entitled INFRARED THERMOGRAPHY

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. Effective May 29, 2000, a CPA may only be filed in a utility or a plant application if the prior nonprovisional application was filed before May 29, 2000. A CPA may be filed in a design application regardless of the filing date of the prior application. See "Request for Continued Examination Practice changes to and Provisional Application Practice," Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office (Apr. 11, 2000).

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☐ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
-a: ☐ DELETE the following inventor(s) named in the prior nonprovisional application:

b: ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
a. ☒ PTO-1449
b. ☒ Copies of IDS Citations

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

11/20/2002 THOMSON 00000001 071392 09441493
Received from 919 483 7988 at 11/15/02 12:00:53 PM [Eastern Standard Time]
01 FC:1253 02 FC:1006 920.00 CH

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXPIRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 CFR 1.16(c) or (l))		16 -20*-	0	x \$ 18	\$ \$0.00
INDEPENDENT CLAIMS (37 CFR 1.16(b) or (j))		4 -3*-	1	x \$ 84	\$84.00
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))	<input type="checkbox"/>			+ \$ 0	\$0.00
				BASIC FEE (37 CFR 1.16)	\$740.00
				Total of above Calculations =	\$824.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.27)	\$0.00
				TOTAL =	\$824.00

* Reissue claims in excess of 20 and over original patent.
** Reissue independent claims over original patent.

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 07 -1392

a. ☒ Fees required under 37 CFR 1.16.

b. ☒ Fees required under 37 CFR 1.17.

c. ☐ Fees required under 37 CFR 1.18.

8. ☐ A check in the amount of \$ _____ is enclosed.

9. ☐ Payment by credit card. Form PTO-2038 is attached.

10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) for a period of _____ months (not to exceed 3 months) and the fee under 37 CFR 1.17(i) is enclosed.


11. ☐ New Attorney Docket Number, if desired
(Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.)

12. a. ☒ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)

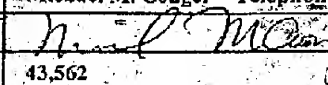
b. ☐ Return Receipt Postcard (Should be specifically itemized. See MPEP 503)

13. ☒ Other: Petition and Fee for Extension of Time

NOTE:The prior application's correspondence address will carry over to this CPA
UNLESS a new correspondence address is provided below.

14. NEW CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label				or <input type="checkbox"/> New correspondence address below	
(Insert Customer Number or Bar Code Label here)					
Name	PATENT TRADEMARK OFFICE				
Address					
City	State	Zip Code			
Country	Telephone	Fax			

15. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Michael M. Couger Telephone: 919-483-2474
Signature	
Registration No. (Attorney/Agent)	43,562
Date	November 15, 2002

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PTO/SB/28A (08-00)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

If this RECEIPT is included with a request for a CPA filed by facsimile transmission, it will be date stamped and mailed to the ADDRESS in item 1.

1. ADDRESS

Applicant's Mailing Address for this receipt must be
CLEARLY PRINTED or TYPED in the box below.

David J. Levy
Corporate-Intellectual Property Law
GlaxoSmithKline
Five Moore Drive
PO Box 13398
Durham, NC 27709-3398

RECEIPT
FOR
FACSIMILE TRANSMISSION
CPA

(The Applicant's Mailing Address for
a Continued Prosecution Application (CPA)
must be clearly legible.)
(Use by facsimile transmission.)

NOTE: By this receipt, the USPTO (a) acknowledges that a request for a CPA was filed by facsimile transmission on the date stamped below by the USPTO and (b) verifies only that the application number provided by the applicant on this receipt is the same as the application number provided on the accompanying request for a CPA. This receipt CANNOT be used to acknowledge receipt of any paper(s) other than the request for a CPA.

2. APPLICATION IDENTIFICATION:

(Provide at least enough information to identify the application)



23347

PATENT TRADEMARK OFFICE

a. For prior application

Application No.: 09/441,493

Filing Date: 11/17/1999

Title: INFRARED THERMOGRAPHY

Attorney Docket No.: PU3571

First Named Inventor: James Martin LENHARD

b. For instant CPA application

New Attorney Docket No.:

(If applicable)

The USPTO date stamp, which appears in the box to the right, is an acknowledgement by the USPTO of receipt of a request for a CPA filed by facsimile transmission on the date indicated below.

(THIS AREA FOR PTO DATE STAMP USE)

USPTO HANDLING INSTRUCTIONS:

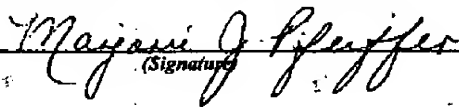
Please stamp area to the right with the date the complete transmission of the request for a CPA was received in the USPTO and also include the USPTO organization name that provided the date stamp (stamp may include both items). Verify that the application number provided by applicant on this receipt is the same as the application number provided by applicant on the request for a CPA accompanying this receipt. If there is an inconsistency between the application number provided on this receipt and the request for a CPA, strike through the inconsistent application number provided on this receipt and insert the correct application number, if possible. Then place in a window envelope

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NO. 6598 P. 2

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			Docket No.	
Applicant(s): James Martin LENHARD et al.			PU3571	
Serial No. 09/441,493	Filing Date 11/17/1999	Examiner Zeman, Robert	Group Art Unit 1645	
Invention: INFRARED THERMOGRAPHY				
<p>I hereby certify that this <u>Continued Prosecution Application under 37 CFR 1.53(d) and accompanying documents</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>) on <u>November 15 2002</u> (Date)</p> <p style="text-align: right;">Marjorie J. Pfeiffer (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>				